

August 6, 2003

**Public Notice for 401 Certification
and/or
Waste Discharge Requirements (Dredge/Fill Projects)**

**Donald Beauregard, Passacreek, LLC/HMB Partners, Inc.
Fox Pond Spillway Stabilization Project, WDID No. 1B03121WNSO
Sonoma County**

On July 3, 2003, the North Coast Regional Water Quality Control Board (Regional Water Board) received an application from Ms. Kathie Lowrey of Prunske Chatam, Inc., on behalf of Mr. Donald Beauregard, requesting Federal Clean Water Act Section 401 Certification for the Fox Pond Spillway Stabilization Project in Sonoma County. The proposed project will not cause disturbance to waters of the United States.

Fox Pond is located on a branch of Foss Creek near the town of Healdsburg, Sonoma County, California. The project is located within the USGS Jintown Quadrangle in Township 9 North, Range 9 West, Section 9 at 16496 Healdsburg Avenue. The project site is at the outfall of the pond. The purpose of the project is to repair the spillway for Fox Pond that is eroding the embankment. A large headcut has formed, and a temporary diversion pipe has been installed to allow the pond to be drained to prevent further erosion.

The proposed project consists of replacing two 24-inch culverts, that have separated and are eroding the embankment, with an armored open channel. The rock used will have a minimum specific gravity of 2.65. All remaining voids between rocks are to be filled with Class 2 permeable gravel (3/4" minus) per Caltrans specifications. Interstitial fill shall be water jetted into voids to increase compaction. Rock shall be placed using Caltrans Method A. All rock to have 1100N felt fabric, or an approved equivalent, between rock and existing soil. Native vegetation will also be established. Seed will be broadcast at a rate of approximately 60 pounds per acre, raked into the soil, and a mulch or erosion control blanket will be used on top of the seeded area.

A permit application has been submitted for a Sonoma County grading permit and a 1603 Streambed Alteration Agreement from the California Department of Fish and Game. The project will utilize U.S. Army Corps of Engineers 404 Nationwide Permit #3(i) for maintenance. CEQA compliance will be handled by CDFG as part of the 1603 Streambed Alteration Agreement. It is expected that this project will utilize Categorical Exemption Class1 (repair of existing structure or facility not expanding existing uses). No rare, threatened, or endangered species or their habitats occur at the project site, and no sensitive archaeological or cultural resources are present.

Restoration industry-standard erosion control measures will be utilized during construction to avoid impacts to the downstream habitat. During construction, if rainfall or runoff is eminent, stockpiles will be covered securely with plastic, and temporary sandbag check dams or sediment detention basins will be employed. The project is designed to be self-mitigating and will result

in improved downstream water quality and aquatic habitat, as well as improved upland habitat. Extensive planting with native species will occur on the property, and the entire site will be re-seeded with native grasses.

The existing pond has an approximate water surface perimeter when full of 1.17 acres. The proposed repair will reduce the area to approximately 1.12 acres in surface area when full. The approximate capacity of the pond is 7.8 acre feet.

The total volume of on-site cut and fill will be 120 cubic yards respectively. In addition, 220 tons of 1' to 3' rock fill, 50 tons of 4" rock fill, and 600 tons of class 2 permeable gravel fill will be used.

The nearest receiving water is North Slough, which drains to Foss Creek located in Russian River Hydrologic Unit No. 114.25.

The Fox Pond Spillway Stabilization Project is scheduled to begin August 15, 2003, with an estimated completion date of no later than October 15, 2004. Staff is proposing to regulate this project pursuant to Section 401 of the Clean Water Act (33 USC 1341) and/or Porter Cologne Water Quality Control Act Authority. In addition, staff will consider all comments received during a 21-day comment period that begins on the first date of issuance of this letter. If you have any questions or comments, please contact staff member Andrew Jensen at (707) 576-2683, or at jensa@rbl.swrcb.ca.gov within 21 days of the posting of this notice.